



NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

AF/3763 \$ #30  
12032  
NOTICE OF APPEAL  
S. Bryce  
3/1/04

Noted  
3/2/04

RECEIVED

MAR 01 2004

TECHNOLOGY CENTER R3700

In re Application of: ) Group Art Unit: 3763  
MIDDLEMAN, Lee M. et al. ) Examiner: Cris Rodriguez  
Serial No.: 09/123,614 )  
Filed: June 28, 1998 )  
For: )  
Device for Anchoring Tubular )  
Element ) Pasadena, California

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated November 18, 2003 of the Primary Examiner finally rejecting Claims 1, 2, 7 to 11, 22, 24 to 28, 32 to 47, and 60 to 62.

The items below are appropriate:

1. \_\_\_\_\_ An extension of time to respond to the final rejection has been requested.
2. \_\_\_\_\_ An extension of time to respond to the final rejection is requested.

The Commissioner is authorized to charge Deposit Account No. 19-2090 for an extension fee in the amount of \$\_\_\_\_\_.

	<u>Small Entity</u>	<u>Large Entity</u>
First Month After Time Period Set	\$ 55.00	\$ 110.00
Second Month After Time Period Set	210.00	420.00
Third Month After Time Period Set	475.00	950.00

3. \_\_\_\_\_ Fee for a small entity - \$165.00  
\_\_\_\_\_ ☒ Fee for other than small entity - \$330.00  
\_\_\_\_\_ Enclosed  
\_\_\_\_\_ Not required (Fee paid in prior appeal)  
\_\_\_\_\_ ☒ Charge to Deposit Account No. 19-2090
4. \_\_\_\_\_ An oral hearing is requested - (Fee of \$290.00 Enclosed)  
\_\_\_\_\_ Charge to Deposit Account No. 19-2090.

02/26/2004 JABD01 00000127 192090 09123614 330.00 DA 01 FC:1401

The Commissioner is authorized to charge any additional fees which may be required to Deposit Account No. 19-2090.

Respectfully submitted,

SHELDON & MAK PC

Date: February 18, 2004

By



Marc Karish

Reg. No. 44,816

SHELDON & MAK  
225 South Lake Avenue, Suite 900  
Pasadena, California 91101  
(626) 796-4000

**CERTIFICATE OF MAILING:** I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria 22313-1450, on February 18, 2004.

By



Elaine Porter